

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1299 be amended to read as follows:

- 1 Page 25, between lines 18 and 19, begin a new paragraph and insert:
2 "SECTION 25. IC 26-2-9-1 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. **(a)** As used in this
4 chapter, "credit agreement" means an agreement to:
5 (1) lend or forbear repayment of money, goods, or things in
6 action;
7 (2) otherwise extend credit; or
8 (3) make any other financial accommodation.
9 **(b) The term includes an agreement to modify an agreement**
10 **described in subsection (a).**
11 SECTION 26. IC 26-2-9-4 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 4. **(a)** A debtor may
13 bring an action upon assert:
14 (1) a claim for legal or equitable relief; or
15 (2) a defense in a claim;
16 arising from a credit agreement only if the credit agreement at issue
17 satisfies the requirements set forth in subsection (b).
18 **(b) A debtor may assert a claim or defense under subsection (a)**
19 **only if the credit agreement at issue:**
20 (1) is in writing;
21 (2) sets forth all material terms and conditions of the credit
22 agreement, including the loan amount, rate of interest, duration,
23 and security; and
24 (3) is signed by the creditor and the debtor."

- 1 Renumber all SECTIONS consecutively.
 (Reference is to HB 1299 as printed January 18, 2006.)

Representative Bardon